



January 16, 2004

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FEDERAL EXPRESS

Carlyn Winter Prisk (3HS11)  
U. S. Environmental Protection Agency  
1650 Arch Street  
Philadelphia, PA 19103

JAN 20 2004

Re: Responses to EPA's 104e Follow-up Request  
Lower Darby Creek Area Superfund Sites

Dear Ms. Prisk:

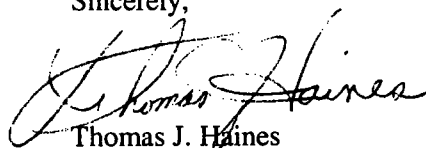
Attached are Sunoco's responses to the "Follow-up request".

As was explained in Sunoco's initial letter, much of the information regarding historic waste disposal was obtained from documents related to prior litigation involving Sunoco's facilities in the Philadelphia area. The depositions and documents related to the Helen Kramer Landfill case were the principal source of historic data. Other cases mentioned in the response also contributed information. Certain files from the Bros Landfill/Continental Vanguard and City of New York litigation were not yet received in Sunoco's Law Department at the time of this response, since they are coming from off-site locations. Where I believe it is necessary to review information in those files to supplement certain answers, I have indicated so in the response. In addition, Sunoco again contacted certain retirees and employees, but no one remembered waste disposal occurring at any of the three Lower Darby Creek Superfund Sites. Two retired employees recalled "cover soil" that was approved by PaDER being sent to the Folcroft Landfill from the Marcus Hook Refinery in the late 1970's or early 1980's. Although this soil was not a waste and was after the period of time (1958 to 1976) for which EPA was requesting information, Sunoco included the comments of those retirees in response to Question #1.

In its November 16, 2001 cover letter to the initial 104e responses, Sunoco requested that if the EPA has any information which it believes shows a link between a Sunoco facility and any of the Lower Darby Creek Superfund Sites that EPA provide Sunoco with a copy of this information. To date, I am not aware of any such information being received by Sunoco. Therefore, in accordance with the provisions of the Freedom of Information Act, Sunoco again requests copies of any such data.

Please contact me if you have any questions.

Sincerely,

  
Thomas J. Haines  
Senior Counsel

TJH/ln  
Enclosures  
cc only: A. M. Donnelly

**Lower Darby Creek Landfills**  
**Sunoco's Responses to Follow Up Questions Submitted by USEPA**

1. Regarding Sunoco's November 16, 2001 response to Question 3 of EPA's October 4, 2001 Information Request, for the following current and/or former employees of Sunoco, please list the name, address, and telephone number of each and attach a written statement summarizing each person's interview and/or knowledge or recollection upon which Sunoco's November 16, 2001 response was based: William Chase, A.B. Chieffo, Thomas J. Collins, Harold A. Taylor, Howard Nickel, Arthur Raymond, Rob Rowe, Gloria Rowe, Mike Severin, Tom Phillips, Tom Jaagus, and Milt Havens.

**Response:** The majority of these employees or former employees were deposed in the matter of USA v Helen Kramer et al (Civil Action No. 89-4380 (JBS) State of New Jersey Department of Environmental Protection v Almo-Anti-Pollution Services Corp et al, in which Sunoco, Inc (R&M) was joined as a third party Defendant. That litigation involved extensive discovery, which included numerous depositions. Although the Plaintiffs were attempting to find a nexus between Sunoco facilities and the Helen Kramer site in New Jersey, the depositions included each deponents description of his or her knowledge of waste disposal, including transporters, and disposal sites used by the facilities:

For some of the former employees, the address and/or telephone number was the last contact information in file, and may have changed.

**William Chase:**

Address: [REDACTED]

Phone: [REDACTED]

Retired from Sunoco. In 1971 became Associate Manager of Plant Purchasing for the Marcus Hook Refinery. He recalled contracts with Continental Vanguard (which went to the Knickerbocker landfill, and improperly to Bros in New Jersey on at least one occasion), Snow Environmental, Solid Waste Removal, Inc. (he recalled Solid Waste hauling trash and spent clay), Eastern Waste Removal, which he believed used the Kinsley, and Grows landfills, and South Jersey Pollution Control. Mr. Chase recalled that the Refinery had disposed of material at locations owned by Sunoco known as Phillips Island and Read Boyd Farm. He remembered accompanying a member of the Refinery environmental department to "check out" the Grows and Kinsley landfills.

**Anibole B. Chieffo:**

Address: [REDACTED]

Phone: [REDACTED]

Mr. Chieffo began working at the Marcus Hook Refinery in 1951 in the Construction group and held several positions at the Refinery, becoming the Chief Environmental Engineer in 1968. He stated that sludges, including separator sludge, soils and tank bottoms were disposed of at the Company owned sites of Phillips Island and Read

Boyd Farm. Spent caustic was sold and later given to paper manufactures as digesters, and spent sulfuric acid was sent to Allied Chemical for regeneration. He believed filter cakes and trash were disposed of at Phillips Island until 1975 or 1976 and were then hauled off site, he thought to Knickerbocker. Mr. Chieffo had no knowledge of Sunoco facilities ever using any of the Lower Darby Creek Superfund Sites.

**Gloria Rowe**

Address: [REDACTED] 0

Phone: [REDACTED]

Worked for A. B. Chieffo in the Marcus Hook Refinery environmental group and succeeded Mr. Chieffo as manager of the group. Ms. Rowe was not deposed in the Helen Kramer litigation, but was interviewed by paralegal Joyce Wilson in prior matters e.g. Sunoco's litigation against Continental Vanguard in the Bros Landfill matter. The files from these cases are being retrieved from either Sunoco's storage or have been requested from the outside Counsel's office, which represented Sunoco in these matters.

**Thomas J. Collins:**

Address: [REDACTED] 1.

Phone: [REDACTED]

Mr. Collins worked at the Marcus Hook Refinery in the 1960s as a Process Engineer, and joined the Refinery Environmental Group between 1972 and 1977. He recalled that for part of the 1970s, separator sludge and catalyst material was taken to a section of the Marcus Hook Refinery known as Phillips Island. Mr. Collins stated that his duties included both waste minimization and waste disposal. Read Boyd Farm, another Sunoco-owned facility near the Marcus Hook Refinery, was also used during part of the 1970s. He believed spent clay, acid slurry, tank bottoms and catalyst fines were sent to Read Boyd Farm. Documents showed Read Boyd Farm was purchased by Sun in 1925. When he worked in process engineering, he worked with processes that generated API separator sludge, tank bottoms, catalyst fines, spent catalyst and wastewater. He recalled Solid Waste Removal, Continental Vanguard and Snow Environmental. Members of the Environmental Group would occasionally follow waste transporters trucks to ensure that the transporters were hauling the waste to the correct disposal sites. He visited the Knickerbocker Landfill in Pennsylvania and landfills the Kinsley Landfill in New Jersey. He further recalled that the Kin Buc Landfill in NJ was used by Continental Vanguard for a period of time, and waste was also taken to the GROWs landfill. Mr. Collins recalled spent sulfuric acid was sent to Allied Chemical.

**Howard Nickle:**

Address: [REDACTED]

Phone: [REDACTED]

He began working at the Marcus Hook Refinery in 1964 as an engineer. He worked as a zone engineer in the Maintenance group and as a lead engineer, primarily responsible for tanks. He stated that Continental Vanguard, Snow and Lansco were involved in tank cleaning.

**Harry Taylor:**

Address: [REDACTED]

Phone: [REDACTED]

Mr. Taylor was responsible for terminal operations in the area in the 1970s. He was not deposed in the Helen Kramer matter, but was interviewed regarding waste disposal practices. Since the terminals are not involved in processing or refining, but are limited to product storage and delivery, the waste generated is significantly less than refining operations. Much of Mr. Taylor's interview dealt with trash disposal, and his answers are reflected in Sunoco's initial 104e response for terminal waste.

**Thomas C. Phillips:**

Address: [REDACTED]

Phone: [REDACTED]

He began working at Marcus Hook in 1966; he retired in 1991 as Refinery Transportation Manager, which included involvement with solid waste disposal contractors. He stated that his primary knowledge regarding solid waste began in 1979 (after the relevant time period). He does, however, remember that the principal solid waste contractor was Eastern Waste Removal. He believed Eastern took Refinery trash to the Chester Township Incinerator.

**Thomas J. Jaagus:**

Address: [REDACTED]

Phone: [REDACTED]

He first worked at Sunoco in 1968 as an engineer in the Marcus Hook Refinery Maintenance Group and in 1973 joined the Purchasing Department. He recalled that filter clay and trash were disposed of at Phillips Island. He recalled contracts for waste disposal with Continental Vanguard and Snow Environmental. Mr. Jaagus was also deposed in the 1991 Continental Vanguard case, which as is mentioned above, Continental Vanguard took Marcus Hook Refinery waste to the Bros Landfill in New Jersey without authorization.

**Arthur J. Raymond**

Address: [REDACTED]

Phone: [REDACTED]

Started at the Marcus Hook Refinery in 1964 in the Research & Development Group. Joined the Environmental Engineering group in 1974. He was familiar with Eastern

Waste Removal, which owned the Kinsley Landfill, and recalled Marcus Hook using the Grows Landfill and the Colebrookdale Landfill. He also recalled Eastern Industrial using Kinsley and Grows. Colebrookdale may have been after 1976, and was probably used in the 1980s. He recalled evaluating the Boyertown Landfill in Pennsylvania, but because it was under restrictions from the PaDER it was never used. Continental Vanguard and Snow Environmental took waste to the Knickerbocker landfill. Drum recycling contractors included Metro Container in Chester and a facility in North Carolina or South Carolina. The Refinery tried to ensure that the drums were empty, because any residual product could be of value. Sweetner caustic was sold to Americhem in Texas. Spent clay was initially disposed of at Phillips Island and later at Kinsley. In further discussion with Mr. Raymond regarding the Lower Darby Creek Superfund Sites, he did not recall hazardous waste disposal during its period of operation (1958 to 1976). He did recall that the PaDER was seeking soil as a cover for the Folcroft Landfill sometime between 1978 and 1980. He recalled working on a project with PaDER, whereby grass was grown on a sample of the soil at Marcus Hook, and the soil was deemed acceptable by PaDER to use as cover, and was taken to the Folcroft Landfill.

**Milton Havens:**

Address: [REDACTED]

Phone: [REDACTED]

Mr. Havens, who is now retired, worked as a Project Engineer at the Marcus Hook Refinery in the 1970s and 1980s. He was interviewed for responses to Superfund questionnaires involving sites such as the Delaware Sand and Gravel Site in Delaware. Mr. Havens has no recollection of waste being sent to any of the Lower Darby Creek Superfund Sites. His recollection is similar to Mr. Raymond's regarding soil, approved by PaDER, being sent to the Folcroft Landfill to be used as cover sometime in the late 1970s or early 1980s.

**Robert Rowe:**

Address and Phone not available.

Mr. Rowe worked in the Refinery environmental group in the 1970s for Mr. Chieffo. J. Wilson interviewed him the Bros matter, and Sunoco's litigation against Continental Vanguard. Those litigation files are being retrieved from Sunoco's storage or the outside Counsel who represented Sunoco in the litigation. Sunoco will supplement when it obtains those files.

**Michael Severin:**

Address: At Sunoco: 1001 E. Hector Street, Conshohocken, PA 19428

Phone: 484-250-5329

Joined Sunoco in 1969 as an Engineer at the Marcus Hook Refinery in the Maintenance and Construction Group. His recollection was that Eastern Waste Removal was a principal hauler for the Refinery. He recalled that Refinery waste

included sludge from separators, occasionally oily stones, catalyst, and that disposal occurred at Phillips Island into the 1970s.

- 2) Regarding Sunoco's response to Question 6, please attach and indicate the location of all documentation used to provide the information in that response.

**Response:** Sunoco has over a file box of invoices and pick up tickets from Continental Vanguard, Eastern Waste Removal and Snow Environmental Services. None of these documents reference any of the Lower Darby Creek Landfills. Copies of the deposition transcripts from the Helen Kramer and Continental Vanguard litigation are retained by Sunoco's Law Department and/or the outside law firms that represented Sunoco in these matters. Consequently the amount of documents reviewed for response to the EPA's 104e request and Follow-up Request are substantial. If EPA wishes to review these documents please contact Thomas J. Haines Esq.

- a) Provide the name, address, telephone number and job title of each current or former employee of Sunoco whose knowledge and/or recollection contributed to Sunoco's response to Question 6;

**Response:** In addition to the names provided in response to Question 1 above, the following current and/or former employees contributed to Sunoco's response to Question 6:

- Howard Algeo, [REDACTED]  
[REDACTED]  
Terminal Manager, 1960s.
- Cliff Howarth, Address not available  
[REDACTED]  
Terminal Operator, 1970s
- Al Kuntz (retired), [REDACTED]  
[REDACTED] ([REDACTED])  
Heating Oil Manager, 1970s.
- Paul Kuntz, [REDACTED]  
[REDACTED]  
Title unknown
- Sam Masapolla, Address not available  
[REDACTED]  
Assistant Terminal Supervisor

- John McFadden, [REDACTED]  
[REDACTED]  
Terminal Manager, 1970s
- Ed McGuire  
Address and Phone not available  
Bulk Plant Engineer 1960s and 1970s
- Paul McLaughlin  
Address and Phone not available  
Terminal Manager
- George O'Connor, [REDACTED]  
[REDACTED]  
Driver Supervisor, 1970s
- Frank Raezer, [REDACTED]  
[REDACTED]  
Ship Repair Sales Representative
- Bob Service, Address not available  
[REDACTED]  
Driver, Dispatcher, 1970s

b) Please indicate where each of the hazardous substances identified in response to Question 6 was stored, treated, transported, and/or disposed of between 1958 and 1976.

**Response:** The disposition of waste disposed of by the Refinery is explained in the response to Question 1 (above) and the response to Question 8 of Sunoco's November 16, 2001 response.

3. Regarding Sunoco's response to Question 7, please identify any other hazardous substances used, generated, stored, or otherwise handled at the Philadelphia, PA facilities between 1958 and 1976 and provide copies of MSDS sheets. Please also provide a more detailed explanation of the process(es) wherein these substances were utilized.

**Response:** The depositions and interviews summarized in Question 1 above and in the prior 104e response, summarize a significant amount of waste from waste generated by the refining process. In the Helen Kramer case the Third Party Plaintiffs explored every possible type of waste in an attempt to link Sunoco to the Helen Kramer Site. Accordingly the deponents, consisting of knowledgeable former and current Sunoco employees, provided an exhaustive description of the waste they

recalled being generated and disposal locations. MSDS Sheets were provided in response to the initial 104(e) answers.

The Marcus Hook Refinery consists of a number of process units or plants, which refine crude oil into finished petroleum products including various grades of gasolines and distillates. Each process performs separate tasks. Attached, and marked "Attachment A", is a diagram explaining this process at the Marcus Hook Refinery.

4. Regarding Sunoco's response to Question 8, please provide copies of documents (or provide the likely location of copies and individuals with knowledge of the location of such documents), as defined in Enclosure D hereto, associated with waste sent to Continental Vanguard, Snow Environmental, Mid Atlantic, South Jersey Pollution Control, Almo, Eastern Industrial, Allied Chemical, and Northeast Oil Services that relate in any way to the Folcroft Landfill or Annex.

**Response:** Sunoco has no information that relates to any of the Lower Darby Creek Superfund Sites, including Folcroft Landfill or Annex.

5. Regarding Sunoco's response to Question 9, please provide the name, title, area of responsibility, address, and telephone number of each individual who managed Sunoco's waste disposal practices between 1958 and 1976. For each such current and/or former employee of Sunoco identified above, please provide a copy of the written interview statement, if one exists, upon which Sunoco's response to Question 9 was based.

**Response:** During the relevant time period individual facilities were responsible for their own waste disposal practices. The response to Question 1 above lists the employees, Sunoco was able to contact, and who worked at the Marcus Hook Refinery, which was the only Sunoco processing facility in the Philadelphia area.

6. Please describe any spills, whether or not reportable under current federal, state, and local environmental or emergency response laws and regulations, of hazardous materials, substances or waste, or non-hazardous waste on any portion of the Folcroft Landfill, Annex, or any other portion of the Site.

**Response:** Sunoco has no information regarding the use of any of the Lower Darby Creek Superfund Sites, including the Folcroft Landfill or Annex.

7. Regarding Sunoco's response to Question 16, please provide any additional documents that Sunoco discovered since its November 16, 2001 response concerning its retention policies from the relevant time period.



**Response:** The first Corporate records retention policy wasn't developed until 1980. Prior to that, individual departments developed their own records retention schedules. The attached, and marked "Attachment B", are the following procedures:

- May 30, 1974 – Marcus Hook Refinery Operations - Process Engineering
- May 16, 1974 – Refinery Employee & Plant Services – Material Control
- May 23, 1974 – Refinery Employee and Plant Services – Materials Management – Purchasing
- March 8, 1978 – Marcus Hook Refinery – Employee and Plant Services. Records Retention Schedule.
- February 9, 1979 – Marcus Hook Refinery Financial Administration – Accounts Payable.
- The 1980 Corporate Policy.